

Michigan State Waterways Commission
Minutes of February 15, 2008

Regular Meeting
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Michigan State Waterways Commission
February 15, 2008

Department of Natural Resources
Stevens T Mason Building
1921 Conservation Conference Room
Lansing, Michigan

A regular meeting of the Michigan State Waterways Commission was called to order by Acting Chairperson Bob Brown at 10:00 a.m. on Friday, February 15, 2008, at the Department of Natural Resources, 1921 Conservation Conference Room, Lansing, Michigan. The following Commissioners were present:

Bob Brown, Acting Chairperson
Denny Bailey
Mike Bryanton
Curtis Hertel
Janet Mansfield

Chairperson Carol Oakley and Commissioner Bryan Amann were excused.

Parks and Recreation Chief Ron Olson and other Department of Natural Resources (Department) were present.

Public Appearances:

Written Correspondence

The Waterways Commission received letters from a number of individuals with regard to Eight Point Lake. This will be taken up during New Business, Action Item A. (Eight Point Lake Proposed Boating Access Site).

Appearances (Non-agenda Items)

Mr. Stephen Hume spoke to the Commission regarding Grayhaven Marina. An update on the status of Grayhaven Marina will be provided by DNR staff during the Operations Status Report.

Minutes

December 14, 2007

MOTION: Commissioner Bryanton moved to approve the minutes of the December 14, 2007 Michigan State Waterways Commission meeting. The motion was seconded by Commissioner Mansfield and it carried unanimously.

Old Business

Project Status Report

Mr. Bill Boik and Mr. Paul Petersen provided an update as follows:

Harbors:

- The project underway at Mackinac Island (Mackinac County) includes utility upgrades, new decking, a new pump-out facility, harbor wall repair, sidewalk replacement, and comfort station upgrades.
- White Lake Municipal Marina (Muskegon County), a grant-in-aid (GIA) facility, will soon be starting a dock repair project.
- Charlevoix Municipal Marina (Charlevoix County), another GIA facility, is undergoing a large renovation project including dock construction, a new harbormaster building, seawall/dock repair, utility improvements, and a new parking lot.
- The project at Cheboygan Lock and Dam (Cheboygan County) includes dam structural repairs, spillway repair, cribbing repair, buttress repair, and a lamprey trap. This is a multiple agency project including: DNR, the Federal Energy Regulatory Commission, the U.S. Fish and Wildlife Service, and the City of Cheboygan.

Mr. Jordan Byelich provided an update on Boating Access Sites:

Boating Access Sites (BAS):

- There is a lull this time of year as there is not a lot of construction in the winter.
- The City of Holland, Kollen Park BAS (Ottawa County), a GIA facility, has a project starting soon that will include ramp relocation, a new parking lot, a new maneuver area, access road construction, and sidewalk construction. The project is scheduled for completion in the fall.
- The project at Charlevoix Ferry Avenue BAS (Charlevoix County), a GIA facility, includes launch ramp extension, courtesy pier extension, and floating breakwall relocation.

Other Issues:

- Mr. Boik provided the Commission with a document entitled US Army Corps of Engineers (USACOE) Shallow Draft Harbor Needs and Issues. This was based on a recent meeting with the USACOE and a coalition of communities and other entities interested in dredging on the Great Lakes. The funding comes from taxes on commercial freight and cargo in the

Great Lakes. Mr. Boik provided a schedule for dredging and structure repairs of shallow draft harbors.

- With regard to water levels in the Great Lakes, Lake Michigan and Lake Huron are in trouble. Requests for dredging will go up as a result. Lakes Superior, Erie, and St. Clair are doing okay.
- Mr. Boik was appointed by the International Joint Commission to the International Upper Great Lakes Study as co-chair of the Recreational Boating and Tourism Technical Work Group. The January meeting was held in Burlington, Ontario. The Technical Work Group Mr. Boik is a member of is one of six. All of the participants are concerned about water levels in the Great Lakes.
- The USACOE has a navigational meeting next week in Columbus, Ohio, but Mr. Boik is unable to attend due to other meetings.
- An open-house will be held next week at Mackinaw City regarding the future of facility. Staff is looking for public input regarding development of the area at the end of the dock.

Operations Status Report

Mr. Harold Herta provided an update on operations as follows:

- In regard to the Central Reservation System (CRS), reservation slip nights are up 9.5% over last year. This number includes some new harbors, however a 5.5% increase was still realized when new harbors were excluded.
- New harbors in CRS include: Charlevoix, Manistee, Harrisville, and the Erma Henderson Marina in Detroit.
- CRS will be for system maintenance this weekend to update the servers.
- Forty-four bid packages for the Presque Isle Restaurant package went out on Friday, February 1, 2008. An advertisement was placed in the Alpena News, which resulted in four additional requests. A mandatory pre-bid meeting will occur at the restaurant on February 26, 2008 at 10:00 a.m.
- Bid opening will occur on March 18 at 2:00 p.m.
- Meetings have occurred regarding the proposed layout for the Harbor Guide. Copies of the suggested layout were distributed to the Commission. Printing (65,000 copies) will be paid for with grant money and it should be distributed in May.

Mr. Jason Fleming provided the following information:

- The Commission requested that a representative from the Attorney General's attend a Waterways Commission meeting to discuss the status of Grayhaven. That is planned for the next meeting.
- The Department recently received the title search document (500 pages) back regarding Grayhaven Marina. Witnesses are due on March 17, 2008; discovery is expected to be complete on May 5, 2008; case

evaluation begins in June with the settlement conference following forty-two days later.

- The access site program has experienced some issues regarding equal and reasonable fees. Local residents cannot be charged a different rate from others outside the community.
- Separate audits will be conducted for communities. The process will start this year and will be done regionally with a six year turn around. The program will apply to harbors and access sites

Standing Committee Reports

There were no Standing Committee Reports

Strategic Planning Process Update

Ms. Vicki Anthes introduced Mr. Paul Curtis who provided an update on the strategic planning process, including outreach efforts. Mr. Curtis is responsible for long-range planning in the Parks and Recreation Division. Draft goals and objectives have been provided to the public. It is hoped the draft document will be available by April and approved by July 1, 2008.

The Commission was asked to comment on the goals and objectives by Friday, February 29, 2008. Ms. Anthes pointed out that an effort was put forth to blend the parks and boating goals.

New Business

MBIA

An MBIA representative could not attend because of the boat show. This will occur for the next meeting

MOTION: Commissioner Mike Bryanton moved to approve all action items (as recommended by the Facilities, Operations/Policy, and Boating Access Committee) except for Item A. Proposed Boating Access Site for Eight Point Lake. The motion was seconded by Commissioner Denny Bailey. A friendly amendment occurred (seconded by Commissioner Janet Mansfield) to change this to allow time for discussion of Item E. the Roger's City Variance Request. The motion carried unanimously as amended.

Rogers City Variance Request

Mayor Beach Hall of Rogers City addressed the Commission regarding this request. He also commended Mr. Paul Curtis' involvement with the NRTM Planning and Advisory Committee stating that Mr. Petersen has provided leadership to the group. Rogers City is asking to be allowed to encourage a charter boat to dock in the harbor. Department staff believes that seasonal slip holders could object to a subsidy of a charter boat. Following discussion, it was determined that Mr. Fleming will provide a modification of the resolution to be addressed later.

Eight Point Lake Proposed Boating Access Site

Mr. Bill Boik provided the same presentation to the Commission as was provided at the local public meeting. Mr. Paul Yauk provided an overview of the acquisition process.

MOTION: Due to the number of individuals wanted to address the Commission on this issue, Commissioner Curtis Hertel moved to allow individuals a maximum of three minutes to speak. The motion was seconded by Commissioner Denny Bailey and it was unanimously approved.

The following individuals provided comments to the Commission regarding the proposed boating access site at Eight Point Lake: Ms. Connie Heintz, Ms. Carol Forton, Ms. Debbie Pavlak, Mr. Jim Carrigan, Ms. Jean Stuart, Mr. Ralph Stuart, Mr. Len Straight, Mr. Kelly Bartlett, Mr. Michael Geary, Ms. Susan Geary, Ms. Lyla Bishop, and Ms. Jacqueline Morgan.

Concerns included:

- Safety of children;
- The number of boats on the lake;
- The rights of property owners;
- Existing public access;
- Boater safety;
- Congestion on the lake (number of boats per acre);
- Size of the lake;
- Existing use;
- Wants to see study showing use of the lake;
- Traffic pattern of the lake;
- Parking of boats as opposed to personal watercraft;
- Lake is primarily used on weekends already;
- Ecological impact;
- Dredging concerns;
- Potential fish kill;
- Possible clear-cut of the property;
- Invasion of zebra mussels;
- Inadequacy of existing roadway;
- Declining property values;
- Property will be taken off the tax rolls;
- Lack of maintenance;
- Disagreement with number of boats and slips mentioned in presentation;
- Financial burden for property owners;
- Another launch is not needed in Clare County;
- DNR budget concerns,
- Funds should be used for other communities instead of Eight Point Lake;

- Wetland concerns;
- Existing home on property;
- Kids hanging out at night; and
- Believe access is already provided.

Ms. Vicki Anthes indicated that there were points made that the Department would refute; however, it is premature to say there would be no dredging. Ms. Anthes provided a review on the use of the Waterways Fund.

During discussion the Commission expressed a desire to have sufficient time to review the concerns expressed by those providing their opinions on this topic. The option on the property will expire on April 23, 2008.

MOTION: Commissioner Bryanton moved to table this resolution until the next Waterways Commission meeting. The motion was seconded by Commissioner Mansfield and approved unanimously.

Rogers City

The wording of the resolution was changed to read: "Be it resolved that the Michigan State Waterways Commission approves the request to allow commercial charters to operate at the Rogers City Marina for the 2008 season under the seasonal rate at an area designated by the City of Rogers City." Commissioner Mansfield moved to approve the new resolution. The motion was seconded by Commissioner Bryanton and approved unanimously.

Other Business

MOTION: Commissioner Mansfield moved to adjourn this meeting of the Michigan State Waterways Commission. The motion was seconded by Commissioner Bryanton. This meeting of the Michigan State Waterways Commission was adjourned at 12:07 p.m.

The next regular meeting will be held in the Lansing area on Friday, April 18, 2008, beginning at 9:00 a.m.